

## **5.01 Type I (Administrative) Decisions**

### **5.01 General Requirements**

- A. The purpose of this Section is to identify what types of actions are considered Type I decisions and their respective review criteria. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval criteria. The decision-making process requires no notice to any party other than the applicant.
- B. To initiate consideration of a Type I decision, a complete City application, accompanying information and a filing fee must be submitted to the Director. The Director will evaluate the application as outlined in this Section.

- 5.01.01 Access Permit to a City Street, excluding a Major or Minor Arterial Street
- 5.01.02 Design Review, Type I
- 5.01.03 Fence and Free-Standing Wall
- 5.01.04 Grading Permit
- 5.01.05 Manufactured Dwelling Park, Final Plan Approval
- 5.01.06 Partition and Subdivision Final Plat Approval
- 5.01.07 Planned Unit Development (PUD), Final Plan & Design Plan Approval
- 5.01.08 Property Line Adjustment; Consolidation of Lots
- 5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit
- 5.01.10 Sign Permit
- 5.01.11 Significant Tree Removal Permit
- 5.01.12 Temporary Outdoor Marketing and Special Event Permit

### **5.01.01 Access Permit to a City Street, Excluding a Major or Minor Arterial Street**

- A. Purpose: The purpose of this review is to ensure conformance to City street access standards and this Ordinance (Section 3.04) in circumstances where the access is not subject to any other type of land use approval.
- B. Criteria: The proposed access shall conform to the applicable standards of access to public streets (Section 3.04).
- C. Procedure: The Director shall review the access permit and determine conformance to City standards.

### **5.01.02 Design Review, Type I**

- A. Purpose: The purpose of this review is to ensure all residential and non-residential buildings comply with the standards found in the Land Use and Development Guidelines and Standards (Sections 2.1 and 3.1) Sections of this Ordinance.
- B. Applicability: The Type I Design Review is applicable to the following:
  - 1. Residential Buildings

- a. Single family dwellings, manufactured dwellings, or duplexes in residential zones in an RS, R1S and RM zone, except where subject to an architectural design review process approved by the Planned Unit Development (PUD) (Section 3.09.02.E).
- b. Exterior alterations to single family, manufactured dwellings, duplexes and multi-family dwellings in an RS, R1S and RM zone; except where subject to an architectural design review process-approved by the Planned Unit Development (PUD) (Section 3.09.02.E) or when;
  - The subject dwelling has a prior Type I design review approval; and
  - The alteration is subject to building permit approval.
- c. Multi-family dwellings that comply with all standards found in the Land Use, Specified Use, and Development Guidelines and Standards (Sections 2.1, 2.2, and 3.1) of this Ordinance.

## 2. Non Residential Buildings

- a. New buildings 500 square feet or less in commercial zones or 1,000 square feet or less in industrial zones.
  - b. Sites with existing buildings, expansions or new buildings that increase lot coverage by 10% or less.
  - c. Change in use that increases required parking by 10% or less.
  - d. Façade changes or structural changes requiring a building permit.
  - e. Establishment of a use in a building vacant for 6 months or more.
- C. Criteria: Applications are evaluated for compliance with the standards found in the Land Use, Specified Use, and Development Guidelines and Standards (Sections 2.1, 2.2, and 3.1) of this Ordinance.
- D. Procedure: The Director shall review the application for compliance with the applicable standards of this Ordinance.

### **5.01.03 Fence and Free-Standing Wall**

- A. Purpose: The purpose of this review is to ensure that fences and free-standing walls comply with the locational and height standards found within the Specified Use Standards (Sections 2.201 and 2.202).
- B. Criteria: Applications shall be reviewed for compliance with the locational and height standards of this Ordinance for fences and free-standing walls.
- C. Procedure: The Director shall review the proposal fence and/or free-standing wall for compliance to City regulations.

### **5.01.04 Grading Permit**

- A. Purpose: The purpose of this review is to ensure that grading is in compliance with the Woodburn Storm Management Plan, Woodburn Flood Plain Ordinance, Public Works

Department Construction Standards and Specifications, and the State Building Code.

- B. Applicability: The requirement for a grading permit applies to any of the following activities:
  - 1. Any fill, removal, or grading of land identified within the boundaries of the regulatory floodplain,
  - 2. Any fill, removal, or grading of land identified within the Riparian Corridor and Wetlands Overlay District (RCWOD),
  - 3. Any fill, removal, or grading of land that requires a permit from the Oregon Department of State Lands,
  - 4. Any fill, removal, or grading of land area that equals or exceeds one acre, or
  - 5. Any development activity required by the WDO to submit a grading plan or permit.
- C. Criteria: Grading Permits shall be reviewed pursuant to the policies and standards of the Woodburn Storm Management Plan, Woodburn Flood Plain Ordinance, Public Works Construction Standards and Specifications and State Building Code, as applicable.
- D. Procedure: The Director shall review the proposed grading plan to ensure compliance with City and State requirements.

#### **5.01.05      Manufactured Dwelling Park, Final Plan Approval**

- A. Purpose: The purpose of this review is to ensure substantial conformance of the final plan and improvements with the conditions of the Manufactured Dwelling Park Preliminary Approval, including compliance with applicable Oregon Administrative Rules.
- B. Criteria:
  - 1. The final plan shall be submitted within two years of date of the initial approval.
  - 2. The final plan shall include all information required by the preliminary approval and shall substantially conform to all conditions of the preliminary approval and applicable Oregon Administrative Rules.
- C. Procedures: The Director shall determine whether the final plan substantially conforms to the preliminary approval, applicable State requirements, and City ordinances.

#### **5.01.06      Partition and Subdivision Final Plat Approval**

- A. Purpose: The purpose of this review is to ensure that the final partition or subdivision plat and associated public improvements are in substantial conformance with the conditions of the preliminary partition or subdivision approval. The final plat shall be submitted within two years of date of the initial approval and be in substantial conforms to all conditions of the preliminary approval.
- B. Criteria:
  - 1. That all public facilities required by the preliminary approval are designed to City standards and either constructed and accepted by the City or covered by the

performance guarantee (Section 4.02.08).

2. A change in the circulation pattern, including the location or configuration of street intersections;
  3. An increase in the number of lots; or
  4. Any other substantive change found by Director.
  5. That the final plat is complete and accurate, surveyed and monumented in compliance with State statutes.
- C. Procedure: Upon determination that the final partition or subdivision plat conforms to all standards and requirements, the Director shall sign the final plat.
1. If the Director determines that the final plat does not conform to the preliminary plat, the applicant shall be advised of the reasons for the decision. The applicant shall have 30 calendar days to correct the plat. The final plat shall be recorded with Marion County within 30 calendar days of the Director's signature.
  2. Acceptance of the land dedicated to the public by means of a plat occurs upon the recording of the plat.
  3. With the recording of the final plat, the City is authorized to issue building permits for the subject property.

#### **5.01.07 Planned Unit Development (PUD), Final Plan & Design Plan Approval**

- A. Purpose: The purpose of this review is to ensure that the PUD Final Plan and Design Plan are in substantial conformance with the conditions of the PUD Preliminary Plan and Final PUD Design Plan approvals as required by this Ordinance (Section 5.03.07).
- B. Criteria:
1. The Director shall determine whether the PUD conforms to the preliminary approval, applicable State requirements and City ordinances (Section 3.09).
  2. Any modification that involves the following, shall not be in substantial conformance with preliminary PUD approval:
    - a. A change in the circulation pattern, including the location or configuration of streets and intersections;
    - b. A change in the location and/or housing type;
    - c. An increase in the number of lots, dwelling units or gross floor area of non-residential uses;
    - d. An increase in density;
    - e. The deletion or addition of a use or facility;
    - f. A change in the scale or character of common architectural design concepts presented with the initially approved PUD design plan;
    - g. Changes in the Homeowners Association agreement and/or Conditions, Covenants

and Restrictions (CC&R's) regarding provisions for management and maintenance of common land and facilities; design review criteria and controls.

h. Any other substantive change found by the Director.

C. Procedure:

1. The Director shall determine whether the final plan conforms to the PUD Preliminary Plan and Final PUD Design Plan approvals, including all conditions and other applicable State statutes and City ordinances.
2. The Director shall determine that all public facilities are designed to City standards and either constructed and accepted by the City or covered by the performance guarantee (Section 4.02.08).
3. The Director shall approve the Final PUD Plan if it is in substantial conformance with the requirements of this Section.
  - a. The PUD, including the CC&R's, is in compliance with conditions of the initial PUD approval.
  - b. The PUD final plat is complete and accurate and property surveyed and monumented in compliance with State Statutes (ORS Chapter 92).
4. If the Director determines that the final plat does not conform, the applicant shall be advised by written notice. The applicant shall have 30 calendar days to correct the plat.
5. The final plat and the CC&R's shall be recorded with Marion County within 30 calendar days of signature. Acceptance by the City of the land dedicated to the public by means of a plat occurs upon the recording of the plat.
6. Building permits can be issued for the subject property upon recording of the final plat.

**5.01.08 Property Line Adjustment; Consolidation of Lots**

A. Purpose: The purpose of this review is to ensure that adjustments to property lines or the consolidation of existing lots and parcels, complies with the standards of this ordinance (Section 2.1), and State Statutes (ORS Chapters 92 and 209). Property line adjustments and consolidation of lots are allowed in all zones.

B. Criteria:

1. Lot area, depth, width, frontage, building setbacks, vehicular access and lot coverage comply with the standards of this ordinance (Sections 2 and 3);
2. Existing easements are accurately reflected;
3. Existing land use and development on the subject property comply with the requirements of prior land use actions; and
4. Buildings and structures abutting the adjusted property lines comply with State building codes and with respect to current occupancy.
5. Property line adjustments are surveyed and monumented to the requirements set forth in State statutes (ORS Chapters 92 and 209) and recorded by the County Surveyor.

- C. Procedure: The Director shall review and approve the application when it is found that it meets this Ordinance and the State Building Codes.

#### **5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit**

- A. Purpose: The purpose of this review procedure is to ensure that all grading, excavation, fill, and vegetation removal (other than perimeter mowing and other cutting necessary for hazard prevention) within a delineated, significant wetland, complies with applicable City and State standards and procedures, including those of ORS Chapter 196 and Chapter 227 and OAR 660-023.
- B. Criteria:
  - 1. The applicable standards of this Ordinance and the findings and action proposed by the Division of State Lands; or
  - 2. A finding, verified by the Division of State Lands, of error in delineation of the RCWOD boundary.
- C. Procedure: The Director shall review the permit and approve it upon a determination that it meets the criteria of this ordinance.

#### **5.01.10 Sign Permit**

- A. Purpose: The purpose of this review is to ensure that signs comply with standards found within the Sign Standards (Section 3.10).
- B. Criteria: Applications shall be reviewed for compliance with the sign standards of this Ordinance.
- C. Procedure: The Director shall review proposal signs for compliance to City regulations.

#### **5.01.11 Significant Tree Removal Permit**

- A. Purpose: The purpose of this review is to ensure that the removal of significant trees complies with the provisions of this Ordinance (Section 3.06.04).
- B. Criteria: Applications shall be reviewed for compliance with this Ordinance.
- C. Procedure: The Director shall review and approve the proposal for compliance of this Ordinance.

#### **5.01.12 Temporary Outdoor Marketing and Special Event Permit**

- A. Purpose: The purpose of this review is to ensure that temporary outdoor marketing or special events conform to the standards of this Ordinance (Section 2.07.17).
- B. Criteria: Temporary Outdoor Marketing and Special Events shall conform to all standards of this Ordinance.
- C. Procedure: The Director shall review the application and shall approve a permit based on

compliance with this Ordinance.